



Report to the Auburn City Council

Action Item 2
Agenda Item No.
City Manager's Approval

To: Mayor and City Council Members
From: Lance E. Lowe, AICP, Associate Planner *LEL*
Date: October 26, 2009
Subject: Second Reading of Ordinance For Rezone From Residential Single Family, Minimum Parcel Size 10,000 Square Feet (R-1-10), to Neighborhood Commercial (C-1) at 512 & 514 Sacramento Street (Files # GPA 09-1 & RE 09-1).

The Issue

Should the City Council approve the Second Reading of an Ordinance to change the zoning designation from Residential Single Family, minimum parcel size 10,000 square feet (R-1-10), to Neighborhood Commercial (C-1) for property located at 512 & 514 Sacramento Street (**Attachment 1**)?

Conclusions and Recommendation

Staff recommends that the City Council take the following action:

- A. Hold a Second Reading, by title only, of an Ordinance to change the zoning designation from Residential Single Family, minimum parcel size 10,000 square feet (R-1-10), to Neighborhood Commercial (C-1) for property located at 512 & 514 Sacramento Street.

History/Background

On September 1, 2009 the Planning Commission unanimously recommended approval of the General Plan Amendment and Rezone as presented.

On September 28, 2009 the Auburn City Council held a duly noticed public hearing and unanimously approved a General Plan Amendment and Rezone for the properties located at 512 & 514 Sacramento Street. The GPA and Rezone amended the General Plan land use designation from Urban Low Density Residential (ULDR) to Commercial (COMM) and changed the zoning designation from Residential Single Family, minimum parcel size 10,000 square feet (R-1-10), to Neighborhood Commercial (C-1) Zone.

A Second Reading is required to complete the processing of the Ordinance (**Attachment 2**). The Ordinance becomes effective thirty (30) days following the Second Reading.

Alternatives Available to Council; Implications of Alternatives

- A. Hold a Second Reading
- B. Deny the Second Reading

Fiscal Impacts

None

Additional Information

Please see the following attachments for more details:

ATTACHMENTS –

- 1. Location Map
- 2. Ordinance for 512 & 514 Sacramento Street

EXHIBITS ON FILE WITH THE CITY CLERK

EXHIBIT –

- A. September 28, 2009 City Council Staff Report with Attachments & Exhibits



ATTACHMENTS



ORDINANCE NO. 09-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN
REZONING PROPERTY LOCATED AT 512 & 514 SACRAMENTO STREET FROM
RESIDENTIAL SINGLE FAMILY, MINIMUM PARCEL SIZE 10,000 (R-1-10), TO
NEIGHBORHOOD COMMERCIAL (C-1) ZONE

THE CITY COUNCIL OF THE CITY OF AUBURN HEREBY FINDS AS FOLLOWS:

A. The City Council held a public hearing on September 28, 2009, to consider a Rezone from Residential Single Family, minimum parcel size 10,000 square feet (R-1-10), to Neighborhood Commercial (C-1) for property located at 512 & 514 Sacramento Street;

B. The City Council has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

1. Staff report prepared by the Community Development Department for the September 28, 2009 meeting;
2. Planning Commission recommendation at the September 1, 2009, Planning Commission hearing;
3. Exhibits and Plans submitted by the applicant;
4. Mitigated Negative Declaration prepared by City Community Development Department staff;
5. Mitigation Monitoring & Reporting Plan;
6. Staff presentation at the public hearing held on September 28, 2009;
7. Public comments, written and oral, submitted at or prior to the public hearing;
8. All related documents submitted at or prior to the public hearing;
9. The City of Auburn General Plan, Zoning Ordinance, and all

1 other applicable regulations and codes;

2
3 C. The Findings of Fact for Rezone 09-1 (File RE 09-1) are:

4 1. The Rezone is consistent with the General Plan;

5 2. The Rezone is consistent with the public interest, health,
6 safety, and welfare of the City of Auburn;

7
8 D. In view of all of the evidence in the record and based on the
9 foregoing findings, the City of Auburn City Council further finds the following:

10 1. All documents and materials relating to the proceedings for
11 the Rezone (09-1) are maintained in the City of Auburn Community
12 Development Department; 1225 Lincoln Way, Room 3; Auburn, CA 95603;

13
14 E. In view of all of the evidence and based on the foregoing findings,
15 the City of Auburn City Council hereby adopts the Mitigated Negative
16 Declaration and Mitigation Monitoring & Reporting Matrix for Rezone 09-1.

17
18 THE CITY COUNCIL OF THE CITY OF AUBURN DOES ORDAIN AS FOLLOWS:

19 Section One: The City of Auburn City Council Rezones 512 & 514
20 Sacramento Street from Residential Single Family, minimum 10,000 square
21 feet (R-1-10), to Neighborhood Commercial (C-1) Zone.

22
23 Section Two: This Ordinance shall take effect thirty days following its
24 adoption as provided by Government Code Section 36937.

25
26 Section Three: The City Clerk shall certify to the passage and adoption
27 of this Ordinance and shall give notice of its adoption as required by law.
28 Pursuant to Government Code Section 36933, a summary of this Ordinance

1 may be published and posted in lieu of publication and posting of the entire
2 text.

3 Section Four: Should any provision of this Ordinance, or its
4 application to any person, parcel or circumstance, be determined by a court of
5 competent jurisdiction to be unlawful, unenforceable or otherwise void, that
6 determination shall have no effect on any other provision of this Ordinance or
7 the application of this Ordinance to any other person, parcel or circumstance
8 and, to that end, the provisions hereof are severable.

9
10 DATED: October 26, 2009

11
12
13 _____
J.M. Holmes, Mayor

14 ATTEST:

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16 _____
Joseph G. R. Labrie, City Clerk

17 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
18 that the foregoing resolution was duly passed at a regular meeting of the City
19 Council of the City of Auburn held on the 26th day of October 2009 by the
following vote on roll call:

20 Ayes:

21 Noes:

22 Absent:

23
24 _____
Joseph G. R. Labrie, City Clerk

ON FILE WITH
THE CITY CLERK

EXHIBIT

